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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/441,729	11/16/1999	ERIC DAVID BLOCH	SGI-15-4-934	4930

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EXAMINER	
LAMBRECHT, CHRISTOPHER M	
ART UNIT	**PAPER NUMBER**
2623	

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/441,729	BLOCH ET AL.	
	Examiner	Art Unit	
	Christopher M. Lambrecht	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed March 29, 2006 have been fully considered but they are not persuasive. The amendments fail to distinguish over the prior art of record.

In particular, on page 11 of the reply, Applicant argues that Langford and DuLac do not teach or suggest the claimed system wherein the media data, media sources, and the data network are digital, such that the claimed workstation renders the received digital media data. Examiner submits that DuLac teaches these limitations, as set forth in the claim rejections, below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1–19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,206,929 to Langford et al. ("Langford"), of record, in view of U.S. Patent No. 5,790,794 to DuLac et al. ("DuLac"), of record.

Regarding Claim 1, Langford discloses a video editing system (See Figure 2) comprising a plurality of video sources (50) and a workstation for receiving video clips (31) and displaying them (35). It is inherent in such a video editing system that a method of playing media data is facilitated by the editing system. A user creates a playlist (Col. 4, Lines 32-44) that specifies a first and second clip to be added to the production (Col. 4, Lines 48-

57). The user can display these playlist clips (See Figure 9) to preview cuts and scenes. This reads on the claimed accessing a playlist wherein the playlist specifies a first and second clip to be played. Further, the user may mark "in" and "out" frames of these clips in the playlist to specify scenes to cut for inclusion in a finished production (Col. 7, Lines 14-20). The software then identifies the groups of frames for each of the edits (Col. 4, Lines 47-57) and requests/receives (Col. 5, Lines 4-24) the specified frame-accurate video data from the random access video sources (Col. 3, Lines 20-25). This reads on the claimed translating the playlist into a plurality of frame accurate requests that specify first and second respective frames of the first and second clip, transmitting the requests, and receiving the frames. Further, it is inherent in any video editing system that in rendering video frames, a predetermined framerate must be implemented and that the final video production will be a seamless combination of first and second sets of frames. What is not disclosed, however, is that the media data (including the first and second clips) is digital and is stored over a digital data network or that the first frame of the second set of frames is received prior to rendering of the last frame of the first set of frames. DuLac discloses a video storage system wherein a plurality of servers (See Figure 2, 52) store video data (See Figure 3) that is accessible over a communications network (See Figure 2, 56) by a client workstation (54). DuLac further discloses that it is necessary to maintain a continuous transmission of data at a proper rate in order to assure that video display is uninterrupted (Col. 9, Lines 42-46). Moreover, DuLac implements the disclosed system using digital media data stored in digital sources (Col. 3, Line 66 - Col. 4, Line 11; Col. 7, Lines 16-19) and transmitting said media via a digital data network (Col. 3, Lines 57-65). It is inherent in such real-time network-based data delivery systems that data may be buffered on the receiving side in order to ensure smooth playback,

such that the first set of frames from the second video source would be received and buffered before the last set of frames from the first video source is exhausted. DuLac is evidence that ordinary workers in the art would appreciate the ability to store large amounts of digital video data on multiple dedicated server machines accessible over a digital data network that can deliver the data in real-time. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Langford with the digital network-based storage of DuLac in order to make a vast amount of video clip storage available to a plurality of clients in diverse locations.

Regarding Claim 2, Langford in view of DuLac disclose a method as stated above in Claim 1. Langford discloses that video content may be stored on multiple different sources (See Figure 2, 50). Further, DuLac discloses a method wherein multiple servers may be used to store video content (See Figure 2). Therefore, the combination of Langford in view of DuLac would disclose a first digital data source comprising a first server coupled to the data network and a second digital data source comprising a second server coupled to the network.

Regarding Claims 3 and 4, Langford in view of DuLac disclose a method as stated above in Claim 1. Langford discloses a method wherein the first and second plurality of frame accurate requests each specifies a respective one of said first and second respective frames (Col. 4, Lines 47-57).

Regarding Claim 5, Langford in view of DuLac disclose a method as stated above in Claim 1. Langford further discloses the use of a jog control (See Figure 13), which, as is well known in the art, is used to control the framerate of the video playback. This reads on the claimed method wherein the predetermined framerate is adjustable by a user.

Regarding Claim 6, Langford in view of DuLac disclose a method as stated above in Claim 1. Langford further discloses a method wherein the media data comprises digital audio (Col. 5, Line 25) and digital video (Col. 5, Line 15).

Regarding Claim 7, Langford in view of DuLac disclose a system for playing digital media data over a network as stated above in Claim 1. DuLac further discloses a client computer (54) coupled to the digital data network. Langford discloses a client computer (31) with a user interface (See Figure 9) for receiving a playlist from a user as stated above. Such a system that translates the playlist into a plurality of frame accurate requests must inherently have a playback engine.

Regarding Claim 8, Langford in view of DuLac disclose a system as stated above in Claim 7. DuLac discloses a system with first and second servers (See Figure 2) as stated above wherein each server comprises data storage (See Figure 3) for storing said first and second clips.

Regarding Claim 9, Langford in view of DuLac disclose a system as stated above in Claim 7. Langford discloses a system wherein the user interface (See Figure 9) allows a user to specify a beginning frame and ending frame of a clip to be played as stated above.

Regarding Claims 10 and 11, Langford in view of DuLac disclose a system as stated above in Claim 7. Further, a system is disclosed wherein a first and second plurality of frame accurate requests each specifies a respective one of the first and second plurality of frames as stated above in Claims 3 and 4.

Regarding Claim 12, Langford in view of DuLac disclose a system as stated above in Claim 7. Further, a system is disclosed wherein the predetermined framerate is adjustable by the user as stated above in Claim 5.

Regarding Claim 13, Langford in view of DuLac disclose a system as stated above in Claim 7. Further, a system is disclosed wherein the media data comprises digital audio and digital video data as stated above in Claim 6.

Regarding Claim 14, Langford in view of DuLac disclose a system for playing digital media data over a network as stated above in Claim 1. It is inherent in such a computer-based system that a computer readable medium (memory) containing computer readable code (software) be disclosed.

Regarding Claim 15, Langford in view of DuLac disclose a medium as stated above in Claim 14. Further disclosed is a system wherein the first and second digital data sources comprise a first and second server coupled to the digital data network as stated above in Claim 2.

Regarding Claim 16 and 17, Langford in view of DuLac disclose a medium as stated above in Claim 14. Further, a system is disclosed wherein a first and second plurality of frame accurate requests each specifies a respective one of the first and second plurality of frames as stated above in Claims 3 and 4.

Regarding Claim 18, Langford in view of DuLac disclose a medium as stated above in Claim 14. Further, a system is disclosed wherein the predetermined framerate is adjustable by a user as stated above in Claim 5.

Regarding Claim 19, Langford in view of DuLac disclose a medium as stated above in Claim 14. Further disclosed is a system wherein the media data comprises digital audio and digital video data as stated above in Claim 6.

Conclusion

4. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Lambrecht whose telephone number is (571) 272-7297. The examiner can normally be reached on M-F, 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on M-F at (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher M. Lambrecht
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